

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PETER R. BENSON,	:	
Plaintiff	:	CIVIL ACTION
	:	
v.	:	
	:	
BUDGET RENT A CAR SYSTEM	:	
INC. and JNR ADJUSTMENT	:	
COMPANY, INC.,	:	No. 08-cv-4512
Defendants	:	

ORDER

AND NOW, this 29th day of September, 2011, upon careful consideration of the Defendant's Motion for Summary Judgment and the Plaintiff's Motion in Opposition for Summary Judgment, IT IS HEREBY ORDERED that:

1. The Defendant's Motion for Summary Judgment (Doc. #56) is GRANTED in part and DENIED in part as follows:
 - a. With respect to the rental jacket as an incorporated document to the entire rental agreement, the motion is GRANTED;
 - b. With respect to the measure of liquidated damages using the retail value of the vehicle as an appropriate measure, the motion is GRANTED;
 - c. With respect to the measure of liquidated damages using the loss of use formula, the motion is DENIED.

BY THE COURT:

/s/LAWRENCE F. STENGEL
LAWRENCE F. STENGEL, J.